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Dated: 10/25/06 Signature: James Ryan

Docket No.: BBNT-P02-369

(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First named inventor:

Robert J. Donaghey

Application No.: 10/058442

Confirmation No.: 5927

Filed: January 28, 2002

Art Unit: 2662

For: SYSTEMS AND METHODS THAT IDENTIFY
NORMAL TRAFFIC DURING NETWORK
ATTACKS

Examiner: Pizarro, Ricardo M.

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated July 27, 2006, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 11 of this paper.



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AMENDMENT TRANSMITTAL LETTER

Docket No.
BBNT-P02-369

Application No.
10/058,442

Filing Date
January 28, 2002

Examiner
R. W. Wilson

Art Unit
2616

Applicant(s): Robert J. Donaghey

Invention: SYSTEMS AND METHODS THAT IDENTIFY NORMAL TRAFFIC DURING NETWORK ATTACKS

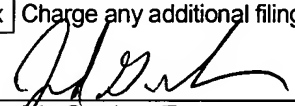
TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED | | | | | |
|--|---|---|-----------------------------------|----------|------|
| | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | |
| Total Claims | 28 | - 47 = | 0 | x 50.00 | 0.00 |
| Independent Claims | 7 | - 8 = | 0 | x 200.00 | 0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | 0.00 |

- ☒ Large Entity ☐ Small Entity
- ☒ No additional fee is required for this amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 18-1945
as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.


Edward A. Gordon, Esq.
Attorney/Agent Reg. No.: 54,130

Dated: October 25, 2006

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 10/25/06

Signature:  (Joanne Ryan)